

Town of Scituate

ZONING BOARD OF APPEALS

600 CHIEF JUSTICE CUSHING WAY
SCITUATE, MASSACHUSETTS 02066
(781) 545-8716



The Decision of the Scituate Zoning Board of Appeals on the application of Sherrie A and Gerald C Laveroni of 315 Chief Justice Cushing Highway for a special permit under section 820 of the zoning bylaw to abandon a pre-existing nonconforming single-family dwelling and create an accessory dwelling within the main dwelling on the lot at 315 Chief Justice Cushing Highway. The application was received, advertised and posted and a public hearing was duly held on June 19, 2008 with the following members of the Board hearing the application:

Albert Bangert, Chairman
Brian B. Sullivan
Sara J. Trezise
Peter Morin

The applicant is the owner of the property pursuant to two deeds recorded at the Plymouth Country Registry of the Deeds at Book 18560, page 302 to 306 and Document 465913 at the land court at Plymouth. The property in the A-1 residential zone consists of 2.07 acres of land with three dwellings on it. Additionally, there is a shed and tennis court on the property. The property is dimensionally conforming. The structures comply with all setbacks. The applicant proposes to abandon the use of a dwelling as a single-family home and turn the structure into an artist's studio that would not be habitable. The applicant proposes to add/expand the in-law apartment attached to the primary dwelling on the property. The house was built in 1760 per the records of the Assessors office. The pre-existing nonconformity relates to the three dwellings on one lot. The Board FINDS these pre-existing non-conformities predate the adoption of the zoning bylaw.

Furthermore, the Board FINDS that the proposal of the applicant to eliminate one dwelling and expand another will not be more substantially detrimental to the neighborhood than the current pre-existing nonconformities. Therefore, the Board voted unanimously to GRANT the special permit under Section 820 of the zoning bylaw; provided, however, that the structure constituting the "artist's studio" shall not be used for dwelling purposes.

ZONING BOARD OF APPEALS

Albert Bangert, Chairman

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Brian B. Sullivan



Sara J. Trezise



Peter Morin

Filed with the Town Clerk on: August 25, 2008.

This Special Permit/Finding will not become effective until such time as an attested copy of the decision has been filed with the Plymouth County of Deeds after the appeal period of twenty (20) days.

Appeal of any decision of the Zoning Board of Appeals may be made pursuant to M.G.L. Chapter 40A, Section 17, and shall be filed in a court of competent jurisdiction. Proof of that filing shall be provided to the Town Clerk within twenty (20) days of the date of the filing of the decision with the Town Clerk.